

REMARKS

Claims 1-77 are now pending in the application. Claims 1, 4, 12, 20, 22, 28, 31, 34, 42, 50, 52, 58, 61 and 69 are amended. Claims 78-83 are newly added. The amendments to the claims contained herein do not introduce new matter and are supported by the specification and originally filed claims of the present application. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

Applicants would like to thank the Examiner for courtesy extended during the interview on May 24, 2007. During the interview, the Examiner agreed that amendments to the originally filed claims, as proposed in the Interview, distinguish over the prior art of record subject to further consideration and/or search.

REJECTION UNDER 35 U.S.C. § 102

Claims 1-77 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Sims III (U.S. Pat. No.6550011 B1).

With respect to Claim 1, Sims III does not show, teach or suggest a secure hard drive that has a public key decryption module. The public key decryption module decrypts an encrypted content key using a private key that is generated based on a device specific identification. By generating a private key based on a device specific identification, the claimed invention provides an addition protection. Only the secure hard drive is able to decrypt stored content information, since the private key is generated based on the device specific identification.

Traditionally, hard drives that are similar to each other may have or have access to the same private/public key sets. Thus, for example, should a storage medium such as a disk (platter) be removed from a hard drive, another hard drive may be able to decrypt information on that disk. The claimed invention prevents such access and limits decryption of content on a disk to only an individual hard drive with the device specific ID.

The Examiner alleges, with respect to Claim 4, that Sims III discloses an identification module that provides an ID and that a private key and a public key are based on the ID. The Examiner refers to Col. 12, line 28 and line 42 of Sims III. As best understood by Applicant, Sims III merely discloses the use of certificates. The certificates are used to determine if a device is a compliant device. In Sims III a content provider requests a destination device's public key and certificate. Upon receiving the public key and certificate from the destination device, the content provider determines whether the destination device is a compliant device. In other words, the content provider determines whether the destination device is authorized to receive or utilize content to be sent. The certificate is not used by the destination device or by a secure hard drive to generate a private or public key.

For anticipation to be present under 35 U.S.C §102(b), there must be no difference between the claimed invention and the reference disclosure as viewed by one skilled in the field of the invention. Scripps Clinic & Res. Found. v. Genentech, Inc., 18 USPQ.2d 1001 (Fed. Cir. 1991). All of the limitations of the claim must be inherent or expressly disclosed and must be arranged as in the claim. Constant v. Advanced Micro-Devices, Inc., 7 USPQ.2d 1057 (Fed. Cir. 1988).

Applicant is unable to find anywhere in Sims III the generation of a private or public key based on a device specific identification or such generation via a hard drive. Therefore, Claim 1 is allowable for at least the above reasons. Claims 20, 31, 50 and 61 are allowable for at least similar reasons as Claim 1. Claims 2-19, 21-20, 32-49, 51-60 and 62-83 ultimately depend from Claims 1, 20, 31, 50 and 61 and are allowable for at least similar reasons.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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